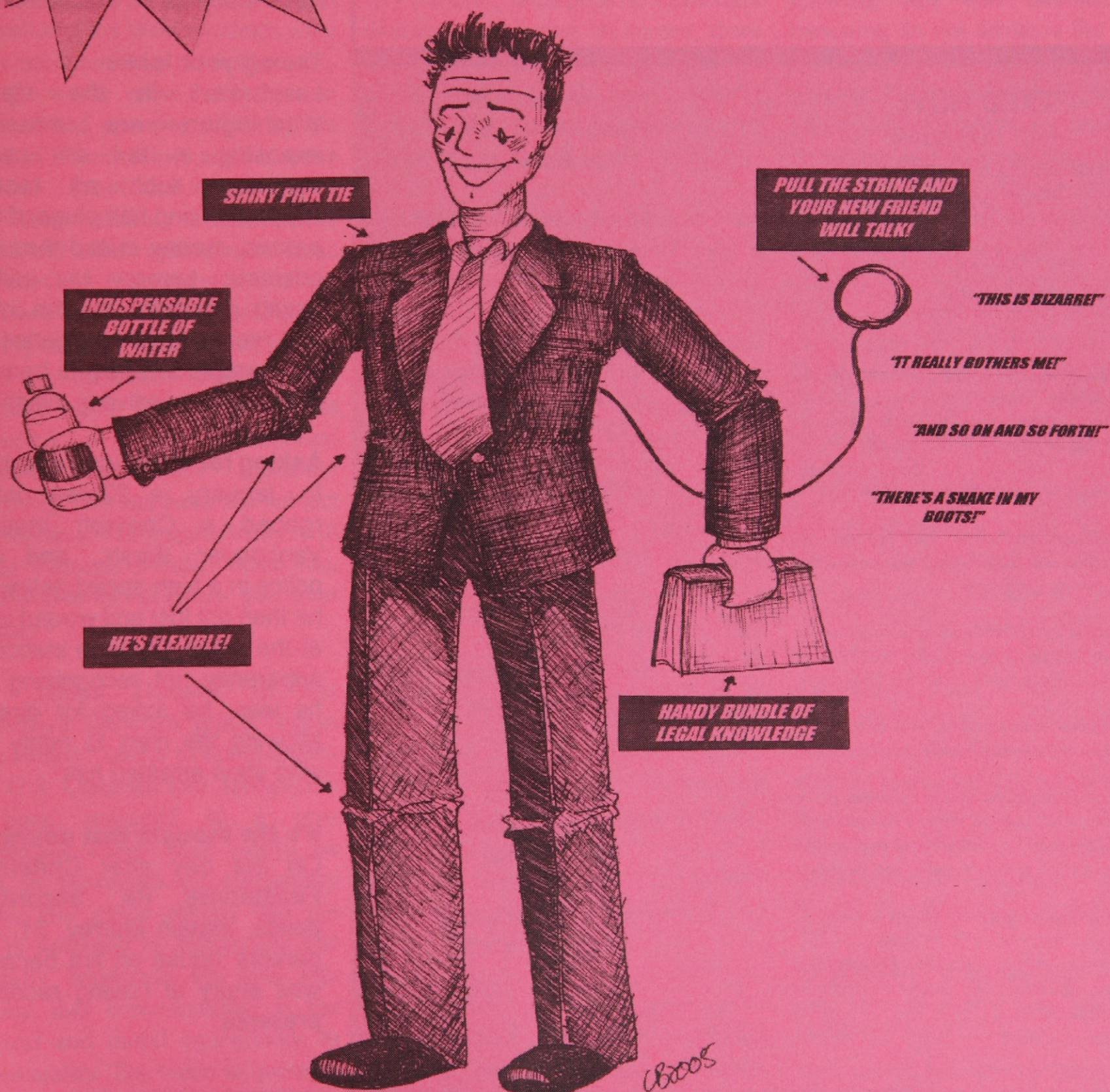


Quid Novi

McGill University, Faculty of Law
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NEW!

PROF. BACHAND ACTION FIGURE



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Week in Review...

Livelihood of a stripper

A stripper from Ontario was awarded \$650,000 in damages after being mauled by a tiger in the zoo: more than half of the damages were awarded to compensate for lost income she would have made as a stripper without the scars resulting from the close encounter with the tiger. Her musician boyfriend was awarded even more: he is entitled to \$1.3 million primarily for lost income he would have made as an accordion player.

Taxing your looks

Lawmakers in the state of Washington are considering imposing a tax on cosmetic surgeries such as face lift, liposuction and hair plugs. If this bill passes, money raised through the cosmetic surgery tax will fund health programs for the children and reconstructive surgeries would be exempted. It seems beauty will get more expensive in Washington.

Asking for directions and trouble

In January, a 22-year-old man robbed a Chevron station in Vancouver, Wash., and eluded police in a high-speed getaway, but he then got lost and wound up back at the same Chevron station, and, apparently not recognizing where he was, he asked for directions, allowing the clerk to notify police, who soon arrested him.

It's the thought that counts

On the day after Christmas in Feasterville, Pa., according to police, Steven Murray, 21, set his parents' house on fire because he was angry at having received no presents.

Editor's page: "Passage to India" and "SpongeBob SquarePants"

by Aram Ryu, Co-Editor-in-Chief (Law III)

In the novel "Passage to India", amidst the backdrop of the British oppression in India, the readers are presented with a complex friendship between Dr. Aziz and Fielding. Dr. Aziz's personality and his view on colonialism shifts when he becomes accused of assault: he becomes vindictive and anti-British after realizing his Western ideals were naively maintained by his enthusiasm. Fielding on the other hand has no allegiance and operates solely by his core set of liberal values and his sense of justice. From the beginning, it seems their unlikely friendship is genuine and offers optimism to those who believe in triumphant rise of the human will above the institutionalized stereotypes and differences. Even though the interaction between these characters and their world is fascinating, it is the homosexual undertone of their personal relationship that has been the subject of controversy. More specifically, will reading "Passage to India" make you, your children or anybody you ever loved gay?

Dr. James Dobson of the conservative Christian group "Focus on the Family" spoke to the members of the U.S. Congress that SpongeBob had been included in a pro-homosexual video that would be shown in thousands of elementary schools. His group argued that the video is designed to manipulate and potentially brainwash the kids into believing that homosexuality is the biological and moral equivalence to heterosexuality. The video in question

was produced by the "We Are Family Foundation" (which was created by the man who wrote the song "We Are Family"). If you are curious as to what kind of video featuring all major children's characters would be part of the "gay agenda" to brainwash the kids, it is simply a music video of "We Are Family", with popular characters dancing and singing on screen: there is nothing sexual about the video, let alone homosexual. But this is not the first time SpongeBob has been singled out as bad influence to the children.

This debate about the sexual identity of SpongeBob SquarePants, a yellow sponge living in a pineapple under the sea, stems from his relationship with his starfish friend Patrick: they hold hands and they watch the imaginary television show "The Adventures of Mermaid Man and Barnacle Boy". Even if the yellow, square and friendly sponge is gay, does it mean he is a part of the gay conspiracy to promote homosexuality disguised as tolerance and acceptance of differences through an overly-too-happy music video of "We Are Family" sung and danced by cartoons and Muppets? Are the nipples on Batman's suit designed to evoke a homosexual relationship between the hero and the sidekick? Did Tinky Winky wear his red purse to show solidarity among sexually ambiguous and confused children's show characters?

You may argue this is completely irrelevant: just a hopelessly misguided person arguing about a sponge that not

too many grown-ups care about. However, this is a sign of how the discourse on this issue has become distorted: many conservative groups call themselves Christian groups because they contend that is the view of Christianity. Hiding behind a religion may give them comfort, but spewing lies and deconstructive reasoning do not advance the debate. Christianity is, after all, a tolerant religion: Jesus himself spent time with social outcasts such as lepers and prostitutes and showed the world that they were not inferior to others. By labeling "tolerance" as a code word used to promote the gay agenda, are they calling Christianity itself gay? Either they need to learn more about the religion they purport to be part of, or they need to understand the meaning of "tolerance". After all, they need to think of what Jesus has already done.

By labeling a video promoting tolerance as "gay" and by labeling gay marriage as a prelude to polygamy and every imaginable sexual deviance, replace any civilized discussions into a war of moral superiority. Morality is an amorphous concept and Christianity (or any specific sects of the religion) does not hold exclusivity over morality. Whether you think SpongeBob and Patrick are lovers or simply best friends, one thing is certain: filling the TV screen with warm and bright colours with a message of tolerance and love is more beneficial to the children than wanton nudity and unnecessary graphic violence. ■

What Does It Mean to be Queer?

by Albert Chen (Law I)

There were times during last weeks' Actus Reus performance of *The Laramie Project* when I felt tears welling up. They were not solely for what was happening in front of me - the unfolding tableau of a tragedy - but for all the forgotten pain I had harboured since around the time Matthew Shepard was murdered.

Like him, I was a first-year university student in the fall of 1998, who felt full of potential although perhaps not yet quite sure what I wanted. Barely a month into college life, the news of his death struck me with a life-changing force and I remember sitting in my dorm room thinking, "It's time I started living my life."

I had consciously known I was gay since I was 12. I never denied this aspect of my identity to myself because the proof was irrefutable: I was constantly horny for other boys. Still, throughout junior high and high school, my life centered on my repression and my need to hide everything away because I was afraid of how others might react.

But in college, away from home and with a clean slate of friends who didn't have any preconceived notions of who I was, I could have a fresh start. And I chose wisely the four friends I first came out to: Shoshana's mom was a lesbian; Jacob would come out a few years later and write about sexuality and religion for his Master's thesis; Helen would later work for an organization dealing with queer sexuality; and later that night, drunk and stoned, Seth and I would make out in an all-girls dorm. At first I couldn't tell the difference between being in and out of the closet: I still had to do my laundry, apply for scholarships, and find love. But things were changing, even if I couldn't feel it every second of the day.

And I did find love. I started flirting

with my student union president and after a few dates we were official. I remember that a few weeks into our relationship I opened up and sobbed uncontrollably in his arms, relieved that I had finally found something that felt so right. I had survived and all I wanted to do was forget my struggle. Over a year ago, I believed the process of becoming accepted as queer was finally over when my parents started approving and disapproving of the guys I brought home to dinner. ("He seems like a nice young man. Keep him around," "He didn't finish school? Maybe he's not the one for you," etc.) But queer life took its toll on me, too. In some ways, I felt more queer when I was a sensitive closeted teenager reading Maurice, watching gay coming-of-age movies alone in the theatre, and publishing bad angst-ridden poetry with gender-neutral references to love. When I became out and proud, being gay became synonymous with easy sex, anorexic feelings of inadequacy, and a jaded disenchantment with the superficiality of the 'gay scene.'

From this comfortable, if unsatisfying position in my life, watching *The Laramie Project* elicited strong emotions reminding me that the consequences of being different are still profound, even if I would rather live in my bubble of complacency. The play reminded me that my then-boyfriend received death threats while running as the first openly gay candidate for the student union: "If you run for office, you will be the next Matthew Shepard." His stalker left dead animals on his car and smeared his campaign posters with words - "fags" - written in blood. Once I went to his apartment and found him pale-faced after somebody had called him anonymously to tell him that he would go to hell for being gay. If I wasn't so young, inexperienced and upset, I would have snapped at him in my gayest voice: "Well if we're going to hell for sinning, we

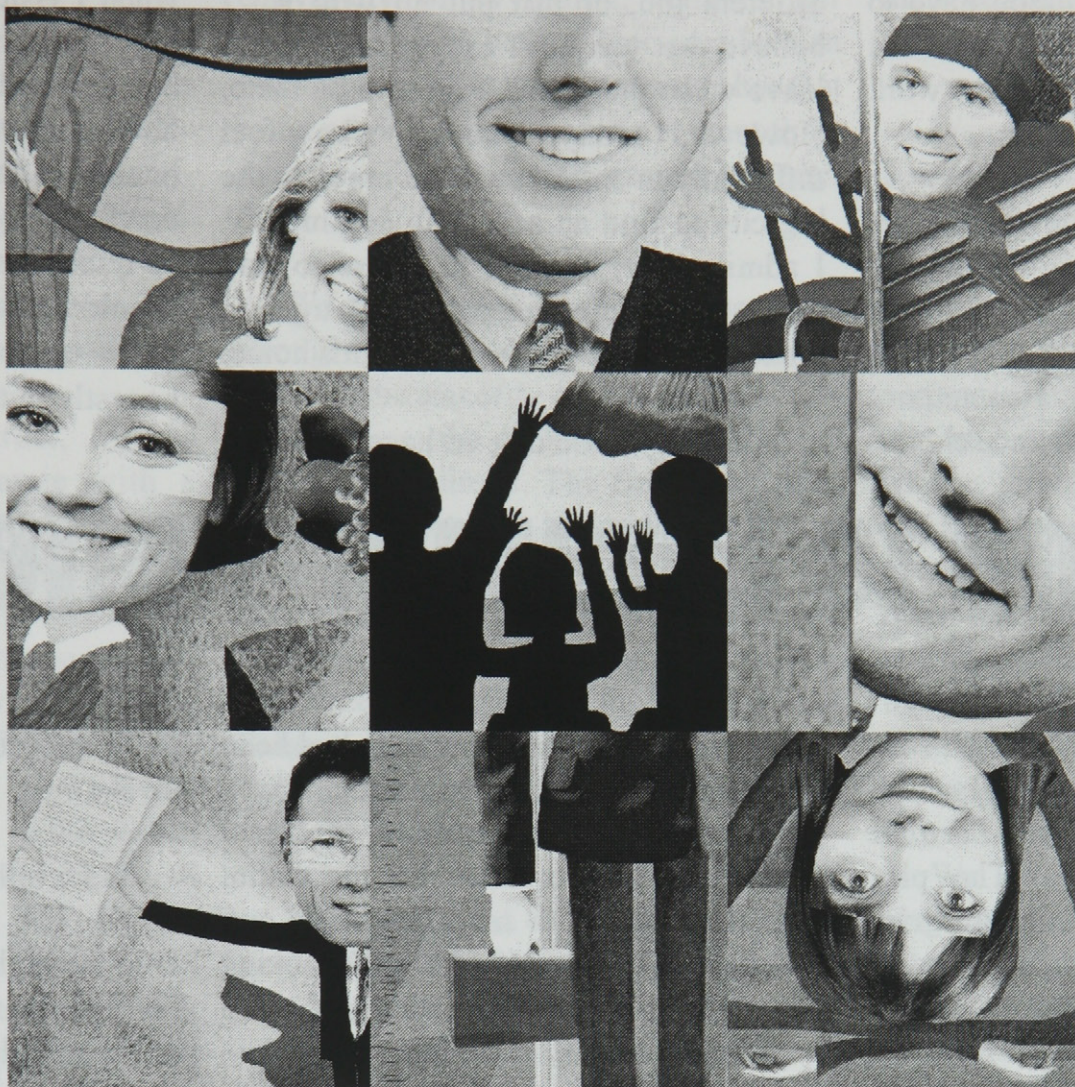
might as well get as much sinning done tonight as we can!" Laughter and wit are the best defenses against the hate directed at you, but deep down, in the quiet of the night, the fear never leaves.

The Laramie Project's portrayal of how a brutal crime can affect an entire community prompts everyone who has ever loved or been loved to sympathize with the grief caused by violence and death. The play hit home because for several years now, I haven't faced what it truly means to be queer - how difference entails violence, and how relegating this conflict to my past won't resolve the issues that haunt my present.

I used to believe that I could parse what I saw in queer culture and piece together a conception of queerness. Was it victimhood, celebration, diversity, or difference? To advance their project of liberation and equality, queer activists need such definitions to fight for recognition. But I've been there, experienced that, and found something terribly lacking and unreflective of who I am. I think that's what I liked most about *The Laramie Project*: it looked at people honestly and took them as they are. It showed that we all live on the edge of survival, trying to find meaning in our environment as best we know how. That's not to say we shouldn't pass judgment, but simply that we must do so in the context of where people are coming from.

After the play, I went home and called a friend who had just come out to his family. He was in a panic and had already started moving his things out in order to avoid confronting them. I advised him to stay and try to work things out with his parents.

"You don't understand my parents, Albert. I have to get out," he told me over the phone, distraught. ▶



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"You can't run from them forever. At one point you have to face them and tell them what you believe in. You have to communicate with them. And if your dad finally kicks you out, let him do the work - it's your home, too," I told him.

This exchange made me realize the second thing I took away from *The Laramie Project*: that not every queer person left Wyoming to seek a so-called 'better gay life' elsewhere. I sometimes hear the argument that we all have choice,

and if someone's discriminated against, they should move elsewhere, or find a different job, or just put up with it. I believe that you can't expect someone to leave when they have a right to be there. However, many people who feel differently in small towns do move to the big city to find an accepting community. I admire Matt because he chose to stay where he wasn't welcome, and tried to make a life there because it was his home.

And why wouldn't it have been his

home? Wyoming is a beautiful place where a part of me always wants to stay when I visit. There, the forces of nature are at their most elemental, at their harshest and most wondrous, and I realize how much we human beings are still bound up in that world. So in the end, maybe the question 'What does it mean to be queer?' isn't so important. Rather, we should be asking ourselves what it means to be authentically oneself, and to live honestly with that answer as Matt did. ■

Listening to Laramie: Reflections

by Edmund Coates (Alumnus)

Can murderers be our teachers? On January 20 and 21, twelve law students presented *The Laramie Project* at the law school. The play reflects a murder's immediate and gradual effects on a Wyoming town.

Matthew Shepard was a 21 year old student at the University of Wyoming in Laramie. He was 5 foot 2 and weighed around 100 pounds. He didn't hide that he was gay. On the evening of 5 October 1998, he went to a bar where he was a regular. Around midnight, two roofers who were hanging around in the bar noticed Matthew Shepard. They were as young as he was. They decided that they would pretend to him that they were gay. They would offer him a lift and then rob him.

Once in the truck, Matthew Shepard touched the leg of one of them. This was "a homosexual advance", according to the roofers. In response, the roofers savagely beat Matthew Shepard's head with the butt of a gun. The roofers drove out of town, beat and kicked Matthew Shepard some more (leaving bruises between his legs). They then tied him down and abandoned him.

Matthew Shepard owes his fame in death to a misinterpretation. The sheriff's office held a routine press conference, to

announce that a young gay man had been found beaten and "tied to a fence like a scarecrow". The members of the local media took this to mean that the victim was strung-up with his arms wide out. This image, of a crucified boyish-looking gay man, was the spark that set off a national media conflagration.

In the entertainment-driven highly competitive world of national TV news, this image could sell. Instantly analysed and generalised, the murder drew hordes of media to the town of Laramie. They knew what they had to find before they got there. The media attention drew national activists. They too packaged the story and used it to fuel their causes.

None of these outsiders needed to listen to Laramie. They paid no attention to the complex reality of being gay in Laramie or to the broader social context of the victim, murderers, and bystanders. Before the murder and media attention, Laramie saw itself as a basically decent and friendly town. Yet tensions gripped the town just under the surface: privilege co-existing with wide-spread economic and social depression, a macho culture, religious rigidity, widespread use of methamphetamines by everyone from high school kids to construction workers (who need to work long hours in a short construction season, and find that with

meth nothing hurts and you can stay awake).

In fact, Matthew Shepard was not crucified. The mountain biker who discovered the body had told police that, at first, he had thought that the object was a scarecrow lying on the ground (something for Halloween). The assailants had left Matthew Shepard lying on the ground next to the fence. His hands were tied to a horizontal log of the fence, about four inches off the ground. This truth soon became known to the media, but they had already made the investment of flying their TV crews to Wyoming. They couldn't let it get in the way of a good story. Nearly a year after the crime, some national media still referred to "the crucifixion of Matthew Shepard".

Without the crucifixion myth, Matthew Shepard's murder would likely have gone as little noticed as the other 32 anti-gay murders in the United States that year. Or as unnoticed as the time five years before, when a gay University of Wyoming professor was murdered and his body just dumped by the side of a road. (For that matter, how much media attention do the gay-bashings and occasional murders in Canada or Montreal get? On the afternoon of the Friday that *The Laramie Project* was presented at the law school, a lesbian's nose was ▶

broken on the corner of St Denis and Mount Royal Streets, for showing affection to her companion.)

Yet Matthew Shepard's murder was intensely, nationally, internationally noticed. The media presented the residents of Laramie as rednecks, intolerant. Most of Laramie had long told itself that it was a "live and let live" place. The media storm left them feeling betrayed.

A month after the murder, Moisés Kaufman traveled to Laramie with a group of his actors. They would return many times in the following year and a half, talking with over 200 people. They listened, as residents of Laramie worked out their own version of what Matthew Shepard's murder meant. Gradually, the actors themselves became part of the story. *The Laramie Project* is the result: edited and arranged from what the actors saw and heard.

The actors show us "moments" with over 60 characters, who interact or just speak their minds. At times, the same actor plays both interviewer and interviewee. The moments engage the audience in deciding what the people and their emotions meant.

The story develops from how the town saw itself, to what Matthew Shepard was like, through the murder, his slipping away from his coma in the hospital, and the trial of his murderers. Yet the play's crucial conversation flows from some residents' moral examination and their quiet, hesitant, yet steady, personal transformations.

We hear how Laramie saw itself as tolerant and tight-nit. Yet the nearest gay bookstore or bar was in another State. A gay man in his 40's explains the "live and let live" code: "If I don't tell you I'm a fag, you won't beat the crap out of me." A nearby resident declares that he felt better, when he heard that Matthew Shepard may have made a gay advance, "because it was partially Matthew Shepard's fault and partially the guys who did it ... you

know, maybe it's fifty-fifty". The first openly queer faculty member, at the University of Wyoming, tells of her arrival six years before. One area lesbian was eager to meet her, but warned her that some other lesbians would not want to be seen near her: it would irreparably taint them.

We see Laramie's religious spectrum, strongly tending to Baptist and Mormon. We hear the sincerity of their faith, its difference from the apostles of hatred, even as we see its limits. The Baptist minister emphasises that he hopes that Matthew Shepard had a chance to reflect on his "lifestyle choice", in the time between the beating and his slipping into a coma. We see another possibility in Father Roger Schmit. He didn't wait to see which way the wind was blowing, before holding a vigil for Matthew Shepard.

Under the press of the media, the residents of Laramie could not deny that the murderers were a product of their community. We hear the emotion of a 52 year old gay Laramie resident, as he tells of seeing the University's homecoming parade that year. There was a banner at the end of the parade supporting Matthew Shepard. When he first saw it, a hundred people were marching behind it. As the parade went on, at least four hundred more people of all sorts joined them.

All along, comic moments are mixed with the poignant. We meet the young bartender who wonders whether he could have somehow prevented the crime, but who also sees his testimony as an opportunity for performance. We meet Marge and Alison, long-time residents, who tell how, in the old days in Laramie, you could do your housekeeping in the nude.

We also hear the murderers' own words in relation to their crime. We hear from their friends and relatives. We hear the emergency room doctor who, unknowing, tended to both victim and one of the murderers in the same night. We hear how, when the doctor found out the connection, he felt "a great deal of

compassion for both [kids]". Slowly, we see the murderers partly as products of their community and upbringing, partly as people who made a series of choices.

We trace the development of Jedediah Schultz, a 19 year old acting student at the University. He used a scene from *Angels in America* for his scholarship audition. The notion that he would use the scene met with strong resistance from his parents. Guided by his religious upbringing, he himself thought that homosexuality was wrong. Yet it was a "killer scene" and he needed the scholarship. At first, he doesn't let himself get involved with the questions raised by Matthew Shepard's murder. Over the course of a year and half, he slowly sees that there was no real basis to the things he felt and believed about gays.

We also see a development in older characters, such as the Detective Sergeant who headed the murder investigation: "once we actually started speaking to the people that were gay and finding out what their underlying fears were". The play ends on a note of hope. The hope is measured, reserved, yet it says that fear and ignorance are not inevitable.

Homophobia is not a good thing. Yet its irrationality and sharpness can teach a continuing lesson. We are all influenced by long histories of spoken and unspoken images and understandings. This history tempts us into certain patterns of thought. More widely, homophobia can remind us of how we make assumptions about people, rather than listen to them. Even the word "tolerance" shows this. Tolerance gives the sense of a cease-fire. We tolerate things that we would change if we could. Real community is built on acceptance.

Three years ago, Actus Reus gave the law school *The Assembly of Women*, a bawdy classical Greek comedy. Women in Ancient Athens dress as men and take power. The comedy explored political tensions: women's equality, disparities in property ownership, freedom of sexual self-expression. ▶

Last year's production was *Proof*, a story about Tara, a daughter who had cared for her mentally-ill father for years. She sharply restricted her outside life in the process. The play followed her after her father's death, as she constructs a new life and rediscovers her gift for mathematics. There is a notable tension between Tara's character and that of her

sister Claire: a controlled, and controlling, currency trader who jets in from Manhattan. Questions underlie the play as to women's relations to men, the place of caregivers, and the difficult demands of love.

This year, *The Laramie Project* reverses the previous trend. On the sur-

face political, it can in the end be deeply personal. Listening to Laramie, one individual and one moment at a time, suggests how, every day, we lean on assumptions and fail to listen to the people around us, ultimately failing to listen to ourselves. ■

Unqualified Student Offers Unsubstantiated Advice

by Barbara Mysko (Law III)

With summer and articling recruitment in full swing, it is high time to confront our insecurities about the job-seeking process.

Contrary to popular belief, law recruitment is not about separating the legally capable from the legally incompetent. Think about it. Four years from now, our marks will bear relatively no correlation to how we perform as lawyers. An 'A' in Contracts is not proof of how well one interacts with people in the workplace, treats clients, or stands before a court and pleads a case. Granted, the emphasis on marks is unfortunate. But it is indicative of the imperfections of the recruitment process and not of our own worth.

It is far more healthy to approach law recruitment as a character-building exercise. If we understand and accept the limits of the recruitment process, we can regard our performance before, during and after recruitment as a test of our ability and willingness to think outside of the box. If McGill students can claim an advantage in anything, it lies in their training as creative problem solvers.

While it may come as a surprise, Transsystemic training is quite beneficial in the real world. In the workplace, creative thinking is actually considered a very useful skill. Combined with a good measure of determination, the creative person can accomplish just about anything. And at the end of the day (and after receiving a truckload of rejection letters), the most important thing to recall is that "it's not over until the fat lady sings."

With this in mind, consider the following letter as a post-recruitment strategy. A few similarly unconventional job-seeking strategies up your sleeve and you will be sure to go far.

How to Respond to Those Dreaded "Rejection" Letters:*

Dear Mr. or Ms. X:

Thank you for your letter of April 17, which I must return. After careful consideration I regret to inform you that I am unable to accept your written refusal to offer my employment

with your firm. This year I have been particularly fortunate in receiving several rejection letters, and it is impossible for me to accept all refusals. (Priority will be given to those hiring managers who are so kind as to call with the bad news).

Despite your company's outstanding qualifications and previous experience in rejecting applicants, I find that your rejection does not meet with my needs at this time. Therefore, I will initiate employment with your firm again in the near future.

Best of luck in rejecting future candidates. ■

*Letter reproduced from: <http://www.careerwriters.com/articles/humor.html>

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"I am FABULOUS"!

par Delphine Neant (Law II)

C a y est, il est sorti, ou plutôt devrais-je dire que j'ai enfin pu le louer, dans mon cher vidéo club après une semaine intensive de visites quotidiennes sans succès (week-end et soirs consacrés à la rédaction du contrat de Parnership pour Bus Ass hors compris, évidemment!). On l'attendait avec tellement d'impatience. Vous l'aurez deviné; il s'agit du DVD de la sixième saison de *Sex and the City* («part 2» pour être plus précise)!

Plus qu'une série, il s'agit d'un moment magique, qui vous fait réfléchir

sur votre vie, la manière dont vous avez envie de la vivre et vous fait rire aux éclats. Un peu trop superficielles, me direz-vous, ces femmes qui changent d'«outfit» plus extravagants les uns que les autres, qui marchent en talons aiguilles hors de prix et passent leur temps dans les «coffee shops», dans les restos branchés ou dans les cocktails mondains à parler de leurs relations amoureuses. Je pourrai essayer de vous vanter les mérites de cette série mais ce serait chose perdue d'avance. Chacun a déjà une opinion toute faite à son sujet. Soit on l'adore, soit on s'en désintéresse.

Un trait est néanmoins récurrent dans *Sex and the City*: L'AMITIE....

Beaucoup de poètes ont fait les louanges de l'amour, un peu moins nombreux sont ceux qui se sont attelés à vanter l'amitié. Je retiens de mes lectures d'ado, un certain Rimbaud qui déclarait sa flamme pour son ami Verlaine. Il définissait l'amitié en ces termes: «parce que c'était lui, parce que c'était moi»...

Oui, j'avoue c'est un peu melo. J'admets que ça peut faire sourire. Mais que celui ou celle n'a jamais été déçu par le comportement d'un ami ou d'une amie me jette la première pierre! Personnellement, je crois en l'amitié. Je ne suis membre d'aucune des associations «pro-féminines» ou «féministes» de la fac or hors faculté¹. Non pas parce que je considère que ces organisations soient inutiles, mais parce que c'est mon choix tout simplement. Chacune peut choisir sa façon de promouvoir la féminité, d'apporter sa contribution au mouvement féministe. Ma vision des choses est à petite échelle. Il s'agit de faire des changements dans ma vie; trouver une amie, puis deux, puis trois, et former un cercle de soutien, de joie, un cercle d'amies d'ici et d'ailleurs sans prétention mais présent. Car nous sommes toutes femmes et fières de l'être.

A toutes les Carrie, les Charlotte, les Miranda et les Samantha, elles sont toutes fabuleuses. Nous sommes toutes FABULEUSES! ■

¹ Le terme est sûrement mal choisi car je ne suis pas une spécialiste du droit des femmes. Je suis juste l'une d'entre vous qui a parfois de la difficulté à trouver un terme adéquat ne suscitant pas une polémique instantanée pour nous qualifier.

Les aventures du Capitaine Corporate America

by Laurence Bich-Carriere (Law I)



Le Seigneur donne, fiston, et le gouvernement prend. C'est ce qu'on appelle la séparation de l'Église et de l'État.



Il faut rendre à César... (Mt 22:21)

How to Become an International Arbitrator Without Even Trying

by Professor William Tetley

I had never participated in an arbitration as arbitrator or attorney, when one day in 1982, the phone rang in my office at McGill Law Faculty. It was Andreas Lowenfeld, a distinguished arbitrator and professor at New York University (NYU), Law School, whom I had met ten years before when I was in politics. He was with Patrick Neill Q.C., the Warden of All Souls College, where the Fellows are not obliged to teach but only do research and are the envy of professors all over the world. Neill came on the phone and said "Professor Tetley, we would be honored if you would be chairman of our arbitration panel." Neill and Lowenfeld had each been chosen as arbitrators by the parties to a very large arbitration and they required a chairman from a neutral country. I said that I would be honored and Neill went on. "Of course, you know the ICC Rules". I had enough of the politician still left in me to say "Of course." Neill replied that he would call back in an hour and a half.

I rushed to the McGill Law Library to ask what the ICC was and upon learning that it was the International Chamber of Commerce, in Paris, I asked to see a copy of the Rules. I was told they were on the third floor, but when the Librarian and I arrived breathlessly at the proper shelf, the Rules were missing. I decided to telephone the Montreal Chamber of Commerce and the lady in charge replied that they had copies of the Rules for sale for \$4.00. I said I would be over in a taxi to get them and she replied that she had to go to lunch with her boyfriend. I prevailed on her to wait by offering to pay for the lunch.

I got the Rules, read them in the taxi driving back and found them to be brief, concise and the epitome of common sense.

The phone rang again. By then I seemed to sufficiently understand the procedure for naming the Chairman to an arbitration and the convening of the first meeting, not to expose my ignorance and my appointment was confirmed.

It turned out to be a very large arbitration concerning the construction of airports, air control and air defense systems in seven districts in Saudi Arabia. The main contractor, a giant American company was refusing to pay the principal sub-contractor, a giant Swedish company. Two large American law firms, one in New York and one in Washington, were handling the claim very professionally, but the main contractor was reluctant to pay on time, because it believed that it could not be charged interest under Sharia law of Saudi Arabia, the law of the place of performance of the contract. There were also other important questions one finds in any construction project. My own experience in construction was trivial, consisting of the claim of a friend against a contractor, who had built a defective single-car garage. As it turned out the legal problems were not much different, except in magnitude.

I traveled to Geneva (the agreed place of arbitration), where for three days we had the first meetings of the arbitrators and the parties. Each counsel was backed by a large phalanx of

lawyers, company officers and witnesses and it became clear, that if we heard witnesses on every load of cement, and on the construction of the floors and walls of every building, we would spend a lifetime at the hearings. It was therefore agreed that the arbitrators would decide four initial questions – 1) could interest be claimed and if so at what rate? and who was responsible for 2) cost over-runs? 3) for delays? and 4) for changes in specifications?

We also agreed that after the initial decision on the four points of law, we would return to Geneva to decide questions of fact. Each party was to be permitted only three witnesses, who would testify by affidavit and if they wished could give hearsay evidence. Any cross-examination was to be by me (the Chairman).

Sometime later, we three arbitrators met for a week in Montreal in my office at McGill. Neill and Lowenfeld were and are first class jurists and by the end of the week were able to agree on all four points of law. The decision was a gem of good sense and was virtually unappealable on technicalities, which is the great bugaboo of arbitration. We held that interest was at London Interbank Offered Rate (LIBOR) because the contract had called for New York law "substantive and procedural". The only real differences between the two arbitrators were on style and syntax as Neill and Lowenfeld were also sticklers on language.

When the parties received the interim decision, they settled, as expected. The ICC, for its part was so

pleased with the quick and efficient despatch of the arbitration that they wished to name me as Chairman of another ICC arbitration over a petroleum cracking plant in the Near East, that would not crack and was a total loss. One party, which did not want a quick solution to the dispute had named, as its arbitrator, a 90 year old, former member of the International Court of Justice, and the parties had objected to every Chairman suggested by the other side. The party intent on stalling the arbitration objected to me and eventually the ICC imposed Potter Stewart, who had just retired from the US Supreme Court. When he arrived for the first session in Paris, Stewart opened the meeting of assembled counsel, lawyers and company executives with the words: "And what may I ask are the ICC Rules?" The nonagenarian arbitrator, for his part, then said in quavering voice: "I hope we won't sit in the afternoons." A London solicitor friend of mine who attended the

hearings later told me, that nevertheless, justice was eventually done.

Lowenfeld, as arbitrator in another arbitration, this time in New York over the leasing of planes for United Nations peacekeeping missions in South Africa again suggested my name as Chairman. The other arbitrator was the Dean of Georgetown Law School in Washington D.C. and we three arbitrators were able to agree to a final award on very technical matters, without any errors in the complicated law and bookkeeping, which would have inspired an attempt to appeal. Again the technicalities were left to me (the Chairman) and I avoided disaster by checking and rechecking the mathematics, and of course, the law and the grammar, as well.

Neill, Lowenfeld and I remain the best of friends and have visited and stayed with each other over the past twenty years. Neill became Sir Patrick Neill and Vice-Chancellor of Oxford and is

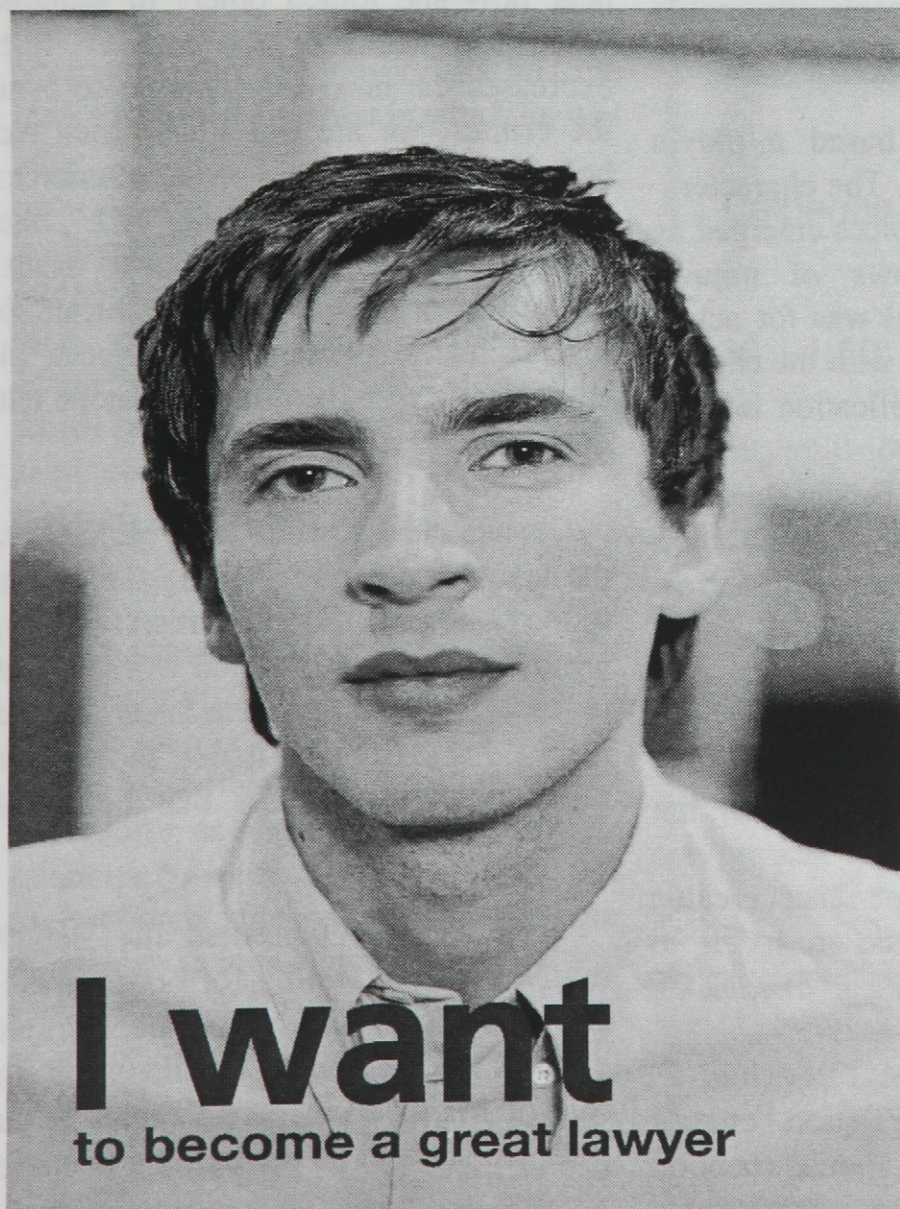
now Lord Neill of Bladen. He still arbitrates and appears in Court as counsel in major international litigation.

Andreas Lowenfeld continues to write and teach international law at NYU and to arbitrate major international disputes. He is to give the first John E.C. Brierley Memorial Lecture at McGill on Wednesday March 30, 2005. His title is "Public Policy and Private Arbitrators: Who Elected Us, And What Are We Supposed To Do?" ■

William Tetley QC, practiced law from 1952 to 1970, in what is now Fasken Martineau, Dumoulin, was in the Quebec National Assembly and as a Minister from 1970-1976 and from 1976 to the present has taught law at McGill University. He is Counsel to Langlois Kronstrom Desjardins of Montreal and Quebec City and is writing, amongst other things, a book on his experiences in the law.

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WT/January 18, 2004 How To Be An Arbitrator Without Even Trying



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Details that Made "Laramie" Live

by Edmund Coates (Alumnus)

The Moot Court was a remarkably intimate space for the performance of *The Laramie Project*. The audience sat in the seats on the North side, and the other seats were cordoned off with crime-scene tape. This sustained intimacy also led to a flaw in the production.

The play is set at a moment which represents the descent on Laramie of the national media. This concentrated episode of simplification and distortion forced residents of Laramie to reflect on what the murder said about them. It drove them to want to set the record straight.

This media horde was represented by Gordon Cruess and Paul Hesse. Both captured the polished stridency of TV news reporting. Both succeeded in giving the sense that they were outsiders. Paul Hesse stood on the edge of the stage, so that a spotlight cast harsh shadows across his face. Yet there were only two of them. They didn't intrude into the space of the other characters. They each spoke in turn, hardly a cacophony. The media moment generated only the slightest sense of invasion or pressure.

The text of *The Laramie Project* also raises a question of balance. It makes ample room for Rev. Fred Phelps, a Kansas minister who preaches God's hate. He dreams of a day when the State would "follow the Bible" and execute gays. He was one of the apostles of hate, drawn to Laramie by the media focus. The play shows how he organised a demonstration by his followers, to disrupt the day of Matthew Shepard's funeral (and how this was countered by some Laramie residents dressed as angels).

Yet the play leaves out the opposite dynamic element. Representatives of national gay-rights organisations also

swooped into Laramie following Matthew Shepard's murder. A portrayal of Matthew Shepard, as a pure gay martyr against the blackest background of hate, suited their purposes, particularly for national fund-raising. While the media looked at Rev. Phelps from the end of a ten foot pole, the national gay-rights activists could both rely on and reinforce the media's oversimplifications.

In a sense, it's appropriate that the play had these small imperfections, these further spurs to reflection. In putting together *The Laramie Project*, Moisés Kaufman looked to Bertold Brecht for part of his inspiration. This revolutionary 20th century playwright sought to make his audience, as well as his actors, both feel and think. He rejected the ideal he saw in traditional theatre: that of drawing audience and actors as deeply as possible into the story and characters.

Traditional theatre based a play's action on the characters. The characters' actions, feelings and choices emerged as if from individual laws of nature. Traditional theatre's goal was for actors and audience to identify with the characters. Yet this very identification left the audience with little room for critical engagement. In contrast, Brecht sought to show characters entirely through their actions. He wanted the audience to draw their own conclusions.

Kaufman notes how "[*The Laramie Project*] underlines the importance of the observer, and constantly reminds the audience that what they are hearing and seeing is an aesthetic experience, created by a group of people who are trying to tell a story and paint a portrait of what we saw and heard".

In keeping with this relation between character and action, I should mention

some *Laramie Project* characters which stayed with me. Collin Smith showed Father Roger Schmit as wise and humane, yet also as someone with an inner pain, a worry for the truth. This gave the play one of its moral anchors. Kirk Shannon brought a comic touch to Doc O'Connor, the limousine driver, and Matt Galloway, the bartending student. Yet he showed them as people who knew Matthew Shepard and who will continue to be troubled by the events.

The character of Zubaida Ula presents a Muslim in her 20's, who started wearing a head-scarf two years ago. When we first meet her, she tells us how people approach her in Laramie supermarkets. They ask her to explain why her religion leads to the headscarf: "why do you have to have that thing on your head?". We hear how she joined others in sadness when she heard of the murder. She expresses the need for Laramie to own the crime: "we are like this". Then we hear that she knew one of the murderers in primary school, called him "A.J.". She doesn't want "A.J." to be put to death. Erika Sasson presented this character so that each development, each aspect, fit emotionally with the others, yet none felt inevitable.

Joshua Parr showed Aaron McKinney, the lead murderer, recounting the events to the police. He did it in a reserved way, letting us see how his mind worked, that this was a bully but not a monster. We see just a flash of pain under the macho mask, when he realises that he might never see his son again.

Kyle Gervais presented the Baptist minister with a feeling for both his sincerity and his concern for the spiritual state of the murderers. He also took the role of Matthew Shepard's father at the trial. He showed us the father's courage,

compassion, and throbbing loss, yet without melodrama.

Claire Ezzeddin shows us Marge Murray, a resident in her 70's, as at first simply warm and colourful. Then we see how people are connected in Laramie. Marge is also the mother of the police officer who first tended to Matthew Shepard. The police officer didn't hesitate to help, even with broken gloves. She did not hesitate even though she had cuts on her hands and Matthew was covered in blood. She later found out that Matthew Shepard had H.I.V. We see mother and daughter's worry and their hard-to-focus anger. Then we see the relief and closure months later, when they hear that the final H.I.V. test is negative.

Tara Berish, playing the police officer, at first presents a certain toughness. Then she recounts details of tending to Matthew Shepard. We hear how tightly his hands were tied with the thin white rope. We hear how she struggled to cut the rope without hurting Matthew Shepard further. She makes us feel the starkness of the situation in which he was left.

Sarah Dobson brought an eloquent inarticulacy to Aaron Kreifels, the nineteen year old student who found Matthew Shepard. Kreifel's struggle for words and meaning show how there is no easy, comfortable, answer why such a thing could happen.

Since *The Laramie Project* doesn't rely on scenes, it is wholly carried by the performances of its actors. Crafting such a production needs a steady yet delicate touch. Michelle Dean, as director, and Kerri Joffe, as stage manager, shaped the relations between the moments, so that each moment reached just the right emotional tone (a tone which was natural and flowed, yet did not interfere with the audience's dialogue with the characters). Bravo. ■

McGill Public Interest Career Fair Wednesday, February 16th, 2005

10:45 - 12:45:

Info kiosks in the Atrium

Éducaloi - Le carrefour d'accès au droit
Dept. of Foreign Affairs (UN, Human Rights Law Division)
Canada Corps at CIDA
"Legal Aid Ontario" Projet Accompagnement Québec-Guatemala
Association of Community Legal Clinics of Ontario
Rights & Democracy
Hutchins Soroka & Grant LLP
Cavalluzzo Hayes Shilton McIntyre & Cornish LLP
Nelligan O'Brien Payne LLP

... and many more

1:00 - 2:15:

Panel in the Moot Court: "Careers in Public Interest Law"

Elisabeth Eid, Director of Human Rights Law Section, DOJ
Fay Faraday, Cavalluzzo Hayes Shilton McIntyre & Cornish LLP
Rick Goldman, Comité d'aide aux réfugiés
Stephen Toope, Trudeau Foundation
Catherine McKenna, Stikeman Elliot LLP, and Canadian Lawyers Abroad

2:30 - 4:30:

Networking in the Atrium

Sign up (by February 10th) to meet one-on-one with the following professionals:

David Schulze, Hutchins Soroka & Grant LLP (Aboriginal Law)
Annie Berthiaume, Nelligan O'Brien Payne LLP (Labour Law)
Howard Strauss, Director, UN, Human Rights & Humanitarian Law Division (Foreign Affairs)
Lloyd Lipsett, Senior Assistant to the President, Rights & Democracy
Elisabeth Eid, Director of Human Rights Law Section, DOJ
Fay Faraday, Cavalluzzo Hayes Shilton McIntyre & Cornish LLP
Rick Goldman, Comité d'aide aux réfugiés
Catherine McKenna, Stikeman Elliot LLP, and Canadian Lawyers Abroad
Isabelle Daoust, Advisor, International Humanitarian Law, Canadian Red Cross

Débats Face à Face : Prachi Shah et Jean-François Bisson-Ross représenteront McGill

par Jean-Philippe Dallaire (Law II)

C'est mercredi dernier que se déroulait la dernière étape locale du concours de débats oratoires Face à Face. Les deux équipes issues des demi-finales locales se sont affrontées pour une seconde fois sur un même thème, soit «POUR ou CONTRE les partenariats public-privé dans les services publics au Québec et au Canada?». Laurence Bich-Carrière et François Beaudry devaient défendre la position Contre, alors que Prachi Shah et Jean-François Bisson-Ross devaient quant à eux convaincre les juges des bienfaits des PPP (ou P3).

Le débat, comme ceux des étapes préliminaires, fut très serré. Alors que

l'équipe «Contre» a insisté à de nombreuses reprises sur les coûts plus élevés du crédit dans le cadre des P3, l'équipe «Pour» a quant à elle avancé des arguments reliés au fardeau fiscal excessif et à la piètre accessibilité des systèmes publics. Non contentes de citer nombre d'exemples, les deux équipes ont aussi usé de leur sens de la formule. C'est ainsi que Jean-François Bisson-Ross a, par exemple, tenté d'impressionner les juges par un «ce n'est pas parce que la banane est jaune et que le mur est jaune que la banane est mûre». Ce fut donc un débat enlevé, qui a tenu le public en haleine jusqu'au verdict final.

L'équipe gagnante, composée de Jean-

François Bisson-Ross et de Prachi Shah, représentera la Faculté lors de la finale canadienne. Celle-ci se déroulera à McGill les 18 et 19 mars prochains.

Le comité Face à Face tient à adresser des remerciements sincères aux juges de la finale, les professeurs Lara Khoury et René Provost, ainsi qu'à tous les juges des demi-finales et quarts de finale. Le comité désire de plus féliciter tous les participants pour leur très bonne préparation lors de chacune des étapes de la sélection, et souhaite bien évidemment la meilleure des chances aux représentants de la Faculté lors de la finale canadienne! ■

Jesus Comes to Career Day

by Jeff Roberts (Law IV)

The Career Placement Office and many student groups remain in turmoil after the unexpected appearance of Jesus at Common Law Careers day last Wednesday. That evening, CPO Director, Brigitte St-Laurent, sobbed that the event "was a total disaster" and expressed profuse apologies to the participants.

The trouble began shortly after noon when the redeemer was spotted amassing numerous boxes of cereal and writing supplies from the recruitment booths. Accosted by CPO staff and several third-year students, Jesus explained that he had only stopped by in hopes of finding a surplus to "giveth unto others" at food-banks and elementary schools in Montreal's Centre-Sud.

Overcoming their initial shock, student job-seekers were quick to jump to

the aid of the firms, and hustle the interloper out of the atrium. Reports are mixed as to whether or not Jesus was also tossed into a snowbank. Though one unnamed go-getter conceded that "we may have given that leftist asshole a few shots", further allegations remain unproved.

Asked to comment on the matter, the LSA expressed a unanimous statement decrying the actions of Jesus, and promising that such actions would not be tolerated in the future. Commenting further, one LSA Executive explained that, "Things have changed. Guys like that just don't understand the market economy. Competition is good and so it's important that we get lots of pens and coffee mugs and stuff because we're gonna get jobs and, you know, help the economy."

Despite the quick reactions of the student body, Jesus' actions proved to have an unsettling effect on several of the recruiters. "We are going to nail, I mean nail, his ass," leered the rep from IP firm Bereskin Sars.

"Not only was he attempting to use our trademark without permission, but he was preparing to violate our right of personality," said the rep, her tail twitching in anticipation.

Reaction was more subdued at the Ogleme Renard table. Despite the repeated exhortations from his colleague to 'stay on message', an Ogleme representative was heard muttering to those gathered around his table, "It's true. We give away all this crap to affluent law students who don't really need it. I'm just not so sure anymore how moral this is when a lot of elementary schools in ▶

this town are lacking basic equipment.”

Fortunately, a semblance of order was eventually reestablished at the Careers Day. Nevertheless, a mood of happy networking was never quite restored, especially after the occurrence of an ugly Johnson-swinging contest between Slavics and Slavies. According to an observer, the latter became incensed upon learning that Slavics was handing out tape-measures.

Slavies then shouted at Slavics that inches and rulers had long been *their* promotion tool, and that Slavics would have to find *their own* corporate metaphor. To settle the matter, male representatives from each firm ran to the centre of the atrium, declaring they would unzip their pants and settle the dispute “inch by inch”. Revolted students quickly began fleeing from the event.

The tumultuous day finally concluded in a fit of sobs and promises of ‘it’ll be better next time’. Though many students expressed wariness at attending another Career Fair, some accepted reassurances offered by the Administration that, in the future, the faculty “would consult outside groups, including the NCAA” so as to determine the bounds of ethical recruiting. ■

Special Feature: Works of Fiction

This week and next we will be publishing some works of fiction submitted by your fellow students. If you wish to submit a short work of fiction or poem, please submit it before Thursday, February 3 at 5:30 p.m.

Voices

by Robert Israel (Law II)

The heavens had begun to share a few moist stars of snow when I heard the voice again. It seemed to be coming from a few paces behind. “The walk will do you some good.”

I didn’t bother to turn. My father had one of those voices that betrayed little pretence and even less emotion. This was his great deception. It was so clear to me, from as early as I could grasp language, that his direct manner was merely an extension of the simple, honest and content man my naked ear accepted with grace. How many years it took me to shed my childhood hearing.

I was beautiful as a child. This, of course, was none of my doing, nor that of my parents. What child is not beautiful? And like all of them, especially the privileged, I could be silly with my youth and slip silently to the centre of the universe. There were siblings of mine, parents of mine, grandparents, aunts, uncles and friends, all of mine. Relationships beyond my reach, beyond my name, were as impossible as my ever growing into something other than a child. The world was rich in simplicity, with good people and bad, rich people and poor, athletes,

soldiers, doctors and nurses. Everyone had their place and slept neatly in the beds of their calling. This is the spirit of childhood. There was none of the grey that corrupts big people so much later on. It is still beautiful.

“The walk will do you some good.”

I hear you, pop. Now I hear this version of your wisdom like I remember all the others, arranged so neatly by time like the notes of a symphony. I am 5. I’m standing at the window of that large terminal eighty kilometres from our hometown back east, before our trip to Toronto. Mom is standing beside me, reading, and I am looking out, watching. Those planes, pop, one by one thundering down the runway and lifting with such freedom into the evening sky. Through the faint reflection of a five-year-old child, eyes wide and mouth open, I took off with each flight and for a moment broke free of the gravity of this world. Now I see how well you noticed, because you came up beside me, put a hand on my shoulder and whispered, “don’t lose that sense of wonder, Josh. The second you do you’re never quite so alive again.” God, when you’re five all adults are so wise. I’m sorry, pop,

how was I to know?

I hear the shuffling of little feet in the fallen snow and now I turn. My daughter is chasing the stars with an outstretched tongue, letting each captive moisten her mouth with sweet nothingness. Around in circles she goes, face to the skies, arms stretched fully to each side. The dance of youth.

Again I look straight ahead. I know my destination.

I am 16. My faith in flight long quieted, my eyes drifted securely in parallel to the earth. Somewhere along my early road an inner restlessness crept like an eclipse across any natural delights, and the stage became a sanctuary. My father, a man of industry, engaged this piece of my adolescence with the same compromise of approval that he attached my few other interests; time offers a window for such musings, but like all that nature allows, such a time must end. It was after my last night as Brutus in our high school’s off-Main St. performance of Julius Caesar that my father met me backstage and shook my hand. As we drove home to our two-storey bungalow just ▶

shy of the hills, he inquired as to my intentions. I could have told him. Instead, when I hesitated and lowered my head, he started to nod. "It's a nice dream to be an actor, Josh. You get to be what everybody wants to be." And then he turned my way, and lowered his voice. "You get to be someone else."

I have allowed myself the mistakes of those years, though forgiveness for blindness is an eternal struggle. The teen knows of disappointment, and his alone. It is not long before he begins to linger with the regret of paths not taken, but it is later still before the words of those he loves most begin to contort and betray previously hidden meanings. Disappointment, it now appeared, could layer upon itself in muted waves, slowly, imperceptibly to all, even the host. Your pain was the wrong kind, pop. It was not exceptional; it would never have made a headline in our local paper. There was no drama for those who knew you little; only the slow release of identity and humanity for those who loved you, and love you still. Your pain was common, I suppose like all else of yours, but only a deeper shade of the shadow that cowers in hidden corners of each of us. How silly it all

is. How fear confines us, burdens us. How much beauty is left in each of us when we leave – unshown, unknown, unfelt.

And must I be no different from you? Will my heart too be worn by it all? I hear you, pop, behind me, voice calm as always. I think I will rest soon. I am almost there.

I am 33. Time had long betrayed you, and us, and yet for a moment the motion of time was made numb by the push of life. I handed her to you, in that faded blue blanket, and the burdens of those shadows lifted with the spirit of rebirth. Soft, smiling, comfortable. I watched you as you watched her, and I caught the tear you tried too hard to hide. It is a portrait of us, and it is a piece of you that she must know. One day soon.

I have arrived to be with you once again. The walk did me some good, as I should have trusted. I will sit for a little while.

I must not be you, pop. I must not leave her slowly, one detail, one emotion, one memory at a time. If only I could be

everything you were and nothing you became. Too often, for too long, I have felt and feared the shadows, and resigned myself to the few choices open to me; that my fate, like yours, was set long before any choice was ours to make. You knew this so long ago. I understand it all, if only now. There is a weight that casts itself gently against the rhythms of time, and a life is narrowed by it. You saw it as futile. Or, like me, maybe you allowed the freedom of resignation to seduce you like a cruel narcotic. Either way, I must find a different path to take.

I am older still, and I am here, with you once more. The snow has settled on your stone like wisps of bent feathers. This is our third winter like this, and this visit I thought it time to bring your granddaughter. It has been too long since you saw her last. Rest your voice, pop, for your wisdom has left its mark, and just watch her. Over there, do you see? She is trailing the wings of a bird sailing high above, tilting her face to the emerging sun, watching, gliding in tandem. I can look across as she looks to the heavens, and lift with her. Eyes wide, mouth open in wonder. ■

Your De Rheality

by Adrian Picard (Law III)

Ahron Jones, whose parents divorced when he was five and whose father died when he was twelve, walked big. He breached the eighteen stone steps before the great tall building of black glass and golden stone two at a time and hit the front doors like Satan's dark inquisitorial deputy. He knew deep within him that even in the darkness of the saviour-less world, he could - and would - place his extraordinary index finger on the most elusive element of his world: incontrovertible, crystalline truth. He swung up the accelerated elevator all the way to the 52nd floor, his back to the wall, his shoulders low and

relaxed. He was like a heated slag of molten rock ejected from acidic hell into God's willing sky above.

"Hello, ma'am, I'm Ahron Jones. I'm here for the cocktail."

The meagre receptionist smiled. "Oh, hello there. It is so nice to have you," she said. Ahron offered his hand. At first she didn't know what to do, but she eventually shook it. The receptionist pointed to a half-open cabinet on her left, and told Ahron he could leave his dark coat and old two-strap backpack there. Then she buzzed him into the office. "The door is

usually locked," she said, "just for safety."

Ahron looked around the 52nd floor lobby for obvious security weaknesses like open doors and old loose windows. He also scanned the room for thugs, toughs and terrorists. Of this underclass, he saw none. They may have been everywhere, but tonight, if they were, they were invisible. All the young law student saw was the illuminated faux wood and false steel sign, and that sign said 'Bouillon Halton De Rheal. Law Office.' Danger had not taken the elevator tonight. ▶

Before stepping into the office, Ahron stopped and looked at the receptionist. "They always leave you outside by yourself?" he asked her. She did not comprehend. Then she did.

"Oh, it's not really that dangerous," she said.

"I see..." Ahron thanked the kind woman for her instruction and direction. Then with big steps he walked through the inviting doorway, past the blood-white glass door and into a boardroom of ancient red teak that may just have been carved by King Anawratha, the first true king of Pagan-era Burma.

* * *

"We're all so happy you could all make it tonight," the lady with the wide lion's mane hair said, gesturing loudly with her hands. "We're very proud of all of you, and we hope you all will be able to see our work for what good things it is. And if you want to have a drink, go ahead... they're over there."

She motioned to a corner table behind which a pony-tailed man stood uncorking late 20th Century vintage.

"I think I might go and get one myself," she said, winking on the sly. Then she hunched up her shoulders and smiled wide. "And since we are hosting this cocktail so that you can get to know the firm, the lawyers and the work we do, please, please, do not hesitate to ask anyone any question you may have. We are here to inform you; we want to give you the clearest picture of our humble workplace that we can. Don't be afraid, just... shoot. With your questions, that is. Oh yes, and don't forget, all of you can bring your drinks with you all, while we all do the tours, so don't worry about a dry palette."

The lady with the lion's hair retired to the corner of the room, and quietly engaged an older man wearing a diagonal red yellow and grey tie. 'Beauty,' Ahron thought to himself. A narrow and thor-

oughly non-descript plant adorned the white wall behind them. Ahron stepped away, aimed his confidence toward another suited man to his right, and extended his right hand.

"Hi, I'm Ahron Jones; it is a pleasure to meet you."

The man shook back, grasping firmly, looking the student in the eye. "Jerry Fontana," he said, "commercial. What you interested in?"

Ahron gave the question four seconds of thought. Then, without any doubt, he answered: "I am really intrigued by administrative issues, especially disciplinary tribunals. I understand a large part of your business comes into contact with them; could you tell me more?"

The man smiled. "Yes I can, Ahron, and it's a pleasure to meet someone with an interest in what we do." He shook an extended finger and then looked at the other students milling about. Drawing them into an informal group, he motioned for them to follow. "Let me tell you all about it..."

* * *

"Well, I've shown you where the students work, and some of the other offices around here," Jerry said. "I guess now we've got the library left. And, believe me, this is it."

The group emerged from the student office, leaving behind family photographs and stacks of legal treatises and photocopies. Jerry stopped and pointed out the new locale. The crowd mumbled, struggling to comprehend the awe of it all.

"We have all the books you could possibly use here. There's a pretty big corporate section; actually, it's as big as the one at your Faculty. I used to have to use yours until I convinced the partners here to expand ours."

Jerry stepped back and pulled a black bound book from the shelf.

"We even have a binding contract with a local publisher," he said. The crowd liked this.

"Oh, a binding contract." "A contract, he said." "A publishing company."

"And they do some good work," he told them. "Here, look at this." Jerry opened a copy of Corporate Mergers and Acquisitions, eighth edition, and it cracked sharply as the cover bent from the spine. He showed it to the glowing eyes.

"That is a nice job they did." "That's commendable." "Oh my, tight binding, very good."

Ahron furrowed his brow, glancing from fellow student to fellow student. Then he raised his hand amid the hubbub.

"Ahron, you have a question," Jerry responded. "It's a fine looking book, isn't? Like a glass of... twenty-year-old tawny port, huh?"

"Actually, I was wondering what it's like working here. Maybe you could tell us."

"Oh... Okay, uh, yes. Yes, I certainly can." He looked at the students. They returned his shocked stare and Jerry put the book down. "I guess that's what this whole evening is all about, anyway. Right?"

The students murmured some more. "I guess so." "That would be a good idea." "Yes, yes, let's do."

Jerry launched into a brief description of the firm lifestyle. The students nodded, and asked questions. Jerry then told them all about the amount of corporate law they do, and the amount of commercial law they do, and how it can be really interesting when corporate and commercial law intersect. As he described this last intersection, he brought his hands together, merging his fingers. Someone demanded to know whether students ▶

could work on these cases. Jerry told them they could, definitely; that was the whole point of Bouillon Halton DeRheal. Sometimes they could even investigate the tax implications of incorporation in international commercial settings.

Ahron raised his hand again.

"How many hours do you work per day?" he asked.

Jerry looked at Ahron and smiled.

"I knew someone would ask that question!" he said. "Well, actually not that many hours. Bouillon Halton DeRheal believes in balancing one's work life with one's personal life."

Jerry made pressed his palms together before his mouth, as if praying.

"You know," he continued, "I leave around six... or seven... sometimes eight. It's not ten or eleven or midnight. I mean, unless I have to pull an all-nighter." Jerry chuckled. "But other lawyers want to spend time with their families, so they might leave at five. It really depends on what you want to do with your life. The firm is very supportive of that flexibility."

A girl in grey pant suit looked up hopefully.

"So you can leave on time like at a normal job?"

Jerry smiled brighter than before. "Yes, of course you can," he said. "You know, we joke there are two kinds of lawyers here, morning lawyers and evening lawyers. The firm lets you work how you want to. They are very flexible about it. Lots of lawyers get here at seven, work lunch, and that way they can leave at five. It works out for them very well. Trust me, you do not have to work crazy hours or anything."

'Uh huh,' Ahron thought to himself, feeling his eyes for wool. There was nothing there. He thought he should ask another question, but the group nodded

collectively, cutting him off.

"Flexibility, that's good." "I like that, the way they can go home at five." "I want to have a family too."

Jerry then led them out of the library, leaving the lights on for a pair of lawyers happily floating into the room from an office down the hall. Ahron followed near the rear, perplexed.

* * *

The tour groups reconvened in the greater boardroom. Food was laid out on the table, drinks in the corner. The man with the pony tail poured white wine into unequal glasses looking like they were purchased that afternoon at Value Village. Probably a good deal.

The lady with the lion hair greeted each group as it entered and dispersed into the room.

"Did you all get your drinks?" she asked, her eyes big like hubcaps. "There are plenty more in the corner. And... if you all prefer something other than wine, too, don't fret, there is a selection of beer as well."

She smiled and pointed at the table. Ahron looked closer, and saw only hyper-carbonated domestic beer. 'Fizzy,' he thought. He walked over and politely asked for a glass of white wine. The man happily gave it to him. Ahron thanked him and nodded his appreciation. He looked over at Jerry Fontana, his erstwhile tour guide, as the man entertained a number of female students. They looked like they were trying to pull from him some indication of life. He counselled them instead on the recent case *Gatti v. Dumouchel*.

"...and remember," he explained, "in Canada we use the term 'and,' and not the letter 'v.'" Disillusioned, Ahron stood off to the side of the room for a moment, surveying the other participants in the evening's festivities.

A roundish man held court with another lawyer, younger than some of the stu-

dents, and regaled him with tales involving much laughter and hilarity. A tall woman in a beige suit spoke to several students at the end of the table. The lady with lion hair entertained a single person, munching on greenish snacks from one of the trays on the table. A young woman in black stood next to the man serving drinks; they laughed easily. A few pocketfuls of students stood about the room, some were quiet, others chatted among themselves, and one inspected a painting of long silver chunks at the far end of the room. Ahron walked over to her.

"Hi," he said, immersing himself in the painting.

"Hello," she returned, somewhat startled at his approach.

"What do you think of this?" Ahron asked, nodding at the lumps and bits all coated in various kinds of grey and silver.

"Uh, well, it's , ah... I don't know. It's interesting, I guess."

"Yeah, that it is... Maybe this line here represents the contrast between old and new, a division of dark wisdom and youthful but naive curiosity."

The student looked back at him with a blank look. There was a pause.

"Sure," she said, laughing gently, "whatever you say."

Ahron laughed back, raising his glass. "Yeah, okay, I don't think so either."

"I don't know what it is about these offices, they always have such crappy art," she told him.

"I know. Some of it is sometimes okay, but a lot is not."

"A lot is not, huh? I don't think we've ever met. I'm Louisa." Louisa extended her hand.

"... Ahron; it's a pleasure to meet you." He took her hand and shook it ▶

gently. "So what are you doing at this here shindig?"

"Well I heard they did some criminal law. Other big firms don't really, so I thought I'd get the opportunity to try out other things too."

"Sounds wise."

"Yeah, but I asked that woman over there-" she pointed at the lady with the lion hair "-and she told me the criminal lawyers aren't here tonight."

"That's too bad."

"What can you do?" Louise finished what was left of her drink. "Why are you here?"

"Administrative law. I'm really into it. One of my professors suggested I try this firm for pretty much the same reasons as you. So I came."

"Admin law..." Louisa turned toward the rest of the room. "Wanna get another drink?"

"Yes I do." Ahron finished his glass of wine and followed her around the boardroom table to the drink cart.

* * *

A few moments later, Louisa and Ahron stood with the roundish man who had earlier impressed his younger colleague with jokes. The two were determined to flush out the career potential of Bouillon Halton DeRheal.

"... and what I always ask students who would like to join our team here is not what can they contribute, or what they want to get from us. Such questions are banal. They do not accurately reflect the true character of either the students or the lawyers."

Louisa inquired further. "It can be hard to determine the true intentions or interests or abilities of any person with respect to another group people like here at a firm."

"It's true, it's true. Most often, the comments people make are irrelevant to the questions themselves. They want to impress us, and we them. People cannot answer truly honestly, and it's all because we, as interviewers, are not accommodating. I, however, want people to be comfortable in an interview. I want them to answer questions in the manner in which they see fit. That really is better for everyone."

"What do you ask?" Louisa continued.

"Ask? Oh, well, in an interview it's simple. We need to know really only one thing. Everything else is... extraneous."

"and...?"

"Well, it is simple. I ask this one thing, this one thing only: What is your... DeRheality?"

Ahron and Louisa stared long and hard at the man. His lips had just formed that question.

"I see," Louisa said finally.

"Yes, I find it is a very good question. It gets to the heart of the matter. We can inquire so deeply into the issues before us: the expectations, the goals, and also the demands. And the demands are important; this is a negotiation, a little give and take, after all." The man shrugged. A long pause of silence excised any further conversation. The man straightened his tie. Ahron twisted his toe. Louise tucked her dark hair behind her ear.

Finally, a student wearing a 'that is very interesting' look on his face interrupted the discourse. As he asked the roundish man about the seriousness of the firm, because he prefers serious firms, Louisa and Ahron made their getaway.

"Did he really ask what's our DeRheality?" Ahron laughed.

"No, he only asks that in interviews,

he didn't ask us," Louisa corrected him.

"Oh, I see then."

The two moved over to the ordered food platters. Ahron picked up a tiny crab pastry puff and held it to the light.

"What you got?" Louisa asked him.

"I don't know, but... there is water under it, like they just pulled it out of the freezer this evening."

"Delicious."

"Very."

As they stood examining the food table, a heretofore unseen man, dapper in a blue suit with high starched collar and grey temples approached them.

"How's the food today?" he asked in a calm and confident voice.

"It's pretty good," Ahron told him, quickly swallowing soggy pastry.

"Really? You're lucky. It's usually pretty bad. I don't know what Bruce is thinking when he orders this stuff."

Louisa and Ahron immediately brightened at the man's candor.

"So what are you here for? What do you want to do with yourselves?" the man asked, reaching for a cucumber wrap.

"Well, I am really interested in administrative law," Ahron told him.

"And I find criminal law fascinating," Louisa said.

"Excellent, that's great. Forgive me, I'm Jordan Honeycutt," the man said, extending his empty right hand.

"I'm Ahron Jones." Ahron shook Jordan Honeycutt's hand.

"Louisa Matkey." She shook his hand as well. ▶

"It's a pleasure to meet you both." The man put the cucumber wrap in his mouth and promptly grimaced.

"Bah!" he said, reluctantly swallowing. "This is crap. Bruce? Bruce, goddamnit." Jordan Honeycutt shook his head. "Hey Donna, where's Bruce?"

"Jordan, you're crazy. He's been on vacation for three months," a woman across the table told him. Jordan Honeycutt turned back to them.

"Bruce... who would have thought? So, where were we? Louisa... you would like to do criminal law. You must be a determined young woman. And Ahron, you would like to get involved in administrative law. Crim and Admin, huh? Let's see... what can I tell you?"

Jordan Honeycutt launched into a long and engaging story of hardship and adversity, of struggles and industrious labour, of long nights and lonely days all overcome by tremendous and rewarding triumph. He described the dedication evidenced by the firm's criminal and administrative lawyers, describing them and their practice as "the single most involved group of law and lawyering" he had ever seen. They were a small department, he declared, but they filled the shoes of twice as many ordinary men. And those regular guys wore size 13s, he added with a wink. Then he regaled the two students with tales of outsiders and rebels fighting a great unjust legal machine, one made from heavy and sharp metal parts that produced wreckage and filth no matter what the people did about it. But... but... It's okay, he told them, the Crim & Admin group wore diamonds on their fists, and those were the hardest substances on earth. They pounded incessantly at the dark reality of an inflexible legal world. More often than not, they achieved justice, true justice. Jordan Honeycutt only wished he could replicate it. He took his hat off to the Crim & Admin group - they really lived life.

This man impressed Ahron, despite

his special delivery. 'Maybe,' he thought, 'this isn't so bad.' Jordan Honeycutt continued his description.

"And the best thing is, especially with crim, but also with admin - you'd be surprised the kinds of people we could get in here with administrative problems - the thing is, we only do white collar offenses. You know, people like you and I." Jordan Honeycutt looked down to them knowingly and rubbed the point of his shirt collar. A small gold pin appeared below the surface of his collar. "You know, people in suits, nice suits, and even nicer suits. We don't have anyone dressed like motor cycle gangsters, you know, or worse - because it can be worse - sitting in our waiting room."

Ahron and Louisa looked at one another. Jordan Honeycutt continued.

"This one time, we had this man with an administrative complaint, he was fired or something, and he came here wearing a white t-shirt that read 'World's Greatest Cabdriver.' Needless to say, we were rather 'busy' and advised him that another firm would be better able to address his needs. We found a nice little lawyer down the road, one who could better serve this taxi driver. And so, you see, our Crim & Admin group is not only one of the best and most focused, and ultimately most successful, but is also able to select where our skills may best be utilized."

* * *

(This story will be continued in next week's Quid) ■

Black Law Students Association of McGill presents...

MORE THAN LAW AND ORDER



Finishing one degree and hungry for another? Unsure of what you want to do next? If you answered yes to any of these questions and law piques your interest, this is the event for you!

WHAT's happening? An hour long, informal information session hosted by McGill's Black Law Students Association. Come speak with current students in the Faculty of Law to learn about our experiences, our backgrounds and the many possibilities of this dynamic and enterprising career path.

WHEN? Wednesday February 9, 2005, 5:00 pm.

WHERE? Faculty of Law- Moot Court: 3644 Peel, corner Dr. Penfield.

WHO'S INVITED? Anyone interested in joining a faculty of law! The BLSA aims to promote an interest in the field of law to a diverse group of people. Bring your friends!

BONUS? Reception to follow (food and drinks, people)!

Questions? Contact us at blsacmcgill@yahoo.ca